

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 20, 2002

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and D. Nolan,
Deputy Clerk.

Each of the following:

B155160 Lovelle C. Superior Court; D.C.F.S.

Argument waived, cause submitted.

B150755 Pedus Building Services Inc., et al.
 v.
 Allen

Merits:

Argued by Joseph Geri for appellants. Michael McCloskey waived for
respondent. Cause submitted.

Mallano, J. leaves the bench.

B147850 Phillips et al.
 v.
 American Underwriters Life Insurance Company

Merits:

Argued by James W. Ireby for respondent and by Douglas G. Benedon for
appellant. Keith Dobbins appeared for appellant. Cause submitted.

Mallano, J. returns to the bench.

B147235 People
B150028 v.
 Michael Henry Jaimez

Merits:
Argued by Nora Genelin for respondent and by M. Eileen McGarry for appellant. Cause submitted.

B149623 Reel Good Inc.
 v.
 Giants Entertainment, Inc., et al.

Merits:
Argued by Brian Rishwain for respondent and by Michael Gregg for appellants. Cause submitted.

B154216 Guadalupe C.
 v.
 Superior Court, Los Angeles County
 (Los Angeles County Department of Children and Family Services, r.p.i.)

Merits:
Argued by Josh Bornstein for petitioner and by Kim Nemoy for real party in interest. Cause submitted.

Ortega, J. leaves the bench.

B147286 Contreras
 v.
 Ozden et al.

Merits:
Argued by Victor H. Toscano for appellant and by John C. Vita for respondents. Cause submitted.

Ortega, J. returns to the bench.

B153156 Jack Mohoi, Jr.
 v.
 Superior Court, Los Angeles County
 (City of Santa Monica, et al., r.p.i.)

Merits:

Argued by Kara A. Pape for real parties in interest and by Wayne McClean for petitioner. Clinton T. McCool appeared for petitioner. Cause submitted.

Spencer, P.J. leaves the bench.

B147770 Barry G. Florence
 v.
 Candice Florence

Merits:

Argued by Lionel Levin for appellant and by J. Nicholas Cuneo for appellant. Cause submitted.

B152827 Fremont Industrial Indemnity Co.
 v.
 Laughlin, Falbo, Levy & Moresi

Merits:

Argued by Thomas J. Weiss for appellant and by Robert T. Dolan for respondent. Cause submitted.

Spencer, P.J. returns to the bench.

Mallano, J. leaves the bench.

B146907 Denise B. Moehlman
 v.
 Richard De La Sota et al.

Merits:

Argued by Denise B. Moehlman, in pro per, for appellant, and by Hall R. Marston. for respondent. Donna D. Melby appeared for respondent . Cause submitted.

Mallano, J. returns to the bench.

Vogel (Miriam A.), J. leaves the bench.

B148576 In re the Seldon Ring Living Trust dated October 8, 1991
Norma Ring and Douglas R. Ring
v.
Irving Ring

Merits:

Argued by John A. Ruskey for appellant and by Paul R. Pearlson for respondent. Cause submitted.

B149839 Duker
v.
Shipow, et al.

Merits:

Argued by Peter W. Ross for appellant and by Roger B. Coven for respondents. Cause submitted.

B144768 Bradley
v.
Siart et al.

Merits:

Argued by Marie Beth Weiner for appellant, by Garrett J. Waltzer for respondent Siart and by Donald Brown for respondent First Bank. Richard H. Borow appeared for respondents. Cause submitted.

B146918 Schoendorf
v.
The U.D. Registry, Inc., et al.

Argued by Faye A. Schoendorf, appellant in pro per, and by Michael J. Saltz for respondent U.D. Registry and by Harvey A. Saltz respondent in pro per. Cause submitted.

DIVISION TWO

The judgment is reversed with directions to conduct an in camera hearing on defendant's discovery motion regarding complaints of dishonesty by Los Angeles County Sheriff's Deputy Kresimer Kovac. The trial court shall conduct that hearing in the manner described by *People v. Mooc* (2001) 26 Cal.4th 1216, 1226-1230, modified ____ Cal.4th ____ [02 D.A.R. 1132].) The trial court shall ask the custodian of records to produce all potentially relevant documents. The trial court shall also ask the custodian to describe the nature of any complaints against Deputy Kovac within five years before September 10, 2000, not produced for inspection at that in camera hearing so the court can determine whether it needs to examine the documents regarding those complaints.

Doi Todd, J.

DIVISION THREE

B143284 People (Not for Publication)
v.
Arnwine
In re Timothy Arnwine on Habeas Corpus

The conviction for obstructing an executive officer in the performance of his duties in violation of section 69 is reversed, and the case is remanded for further proceedings related thereto. The remainder of the judgment is affirmed. The habeas corpus petition is denied.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B153001 Siobhan Brook Byrum (Not for Publication)
v.
Superior Court, Los Angeles County
(Angela Javier, r.p.i.)

The Court:

Let a peremptory writ of mandate issue directing respondent to vacate its order granting real party in interest's motion to preclude admission of the expert opinion testimony of Dr. Wallace concerning causation, and to make a new and different order denying real party's motion.

Commencement of trial in the underlying action is stayed until respondent complies with the disposition of this opinion.

Petitioner shall have his costs (California Rules of Court, rule 56.4)

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B156083 Ostoposides et al.
v.
Glimp et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed January 22, 2002) dismissed.

DIVISION FIVE

B150525 Salvador Hernandez
v.
Steven Harowitz

Filed order, subsequent to the court's order to show cause dated January 31, 1999, denying the motion to dismiss appeal. Appeal (notice of appeal filed May 21, 2001) dismissed.

B146763 People (Not for Publication)
v.
Charles Henry Bryant

Due to clerical error, the parties were served with the incorrect copy of the opinion. The originally signed opinion was correct, but the copies were mailed to the parties were incorrect.

IT IS HEREBY ORDERED that the opinion filed February 19, 2002, is vacated and the correct opinion is re-filed as of the date of this Order.

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
Armstrong, J.

DIVISION SIX

B154781 Brenda C. (Not for Publication)
v.
Superior Court of San Luis Obispo
San Luis Obispo Dept. of Social Services

The petition is denied.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

B150288 People (Not for Publication)
v.
Wickersham

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B146568 Environmental Coalition of (Not for Publication)
Ventura County
v.
Ventura Local Agency Formation Commission
Messenger Investment Company, et al.

The order awarding attorney's fees is affirmed. Each party shall bear its own costs on each appeal.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B142902 David Oved et al (Not for Publication)
v.
David Roberts et al

The judgment and post-judgment orders awarding attorney fees to Roberts, costs to Suncrest entities, and costs to Oved and Naftali are affirmed as modified to reflect an additional \$1,262.50 in attorney fees to Roberts. The parties shall bear their own costs on appeal.

Perluss, J.

We concur: Johnson, Acting P.J.
Woods, J.

B152892 People (Not for Publication)
v.
Ryan Trent Choules

The judgment is affirmed.

Perluss, J.

We concur: Lillie, P.J.
Johnson, J.

B149863 City National Bank (Certified for Publication)
v.
Glenn Adams

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

I concur: Lillie, P.J.
I dissent: Johnson, J. (Opinion)

B149679 Adrienne Rubin (Certified for Publication)
v.
United Air Lines, Inc.,

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, Acting P.J.

We concur: Woods, J.
Perluss, J.

B144877 People (Not for Publication)
v.
Maggitt

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

[illegible]

The order under review is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Perluss, J.

B146856 People (Not for Publication)
v.
Pastrana

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Perluss, J.

B147587 People (Not for Publication)
v.
Finney

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B146716 Hirsh (Not for Publication)
v.
Truck Insurance Exchange

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Johnson, Acting P.J.
Perluss, J.